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OCT 27 2004

FAX TRANSMISSION

DATE: October 27, 2004

PTO IDENTIFIER: Application Number 09/889,287-Conf. #2444
Patent Number

Inventor: John A. Montgomery et al.

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (703) 872-9306

FROM: CONNOLLY BOVE LODGE & HUTZ LLP

Burton A. Amernick

PHONE: (202) 331-7111

Attorney Dkt. #: 21381-00067-US

PAGES (Including Cover Sheet): 5

CONTENTS:

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Fee transmittal
Transmittal Of Additional Fees and Declaration of Burton A. Amernick
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PTO/SB/07 (12-97)

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OCT 27 2004

Docket No.: 21381-00067-US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
John A. Montgomery et al.

Application No.: 09/889,287

Confirmation No.: 2444

Filed: July 16, 2001

Art Unit: 1623

For: METHODS FOR SYNTHESIZING 2-
CHLORO-9-(2-DEOXY-2-FLUORO-B-D-
ARABINOFURANOSYL)-9H-PURIN-6-
AMINE

Examiner: D. Khare

**TRANSMITTAL OF ADDITIONAL FEES AND
DECLARATION OF BURTON A. AMERNICK**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

It has come to the undersigned's attention that small entity status was claimed in the filing of a Notice of Appeal and a Petition for Extension of Time under 37 CFR 1.136(a) on September 20, 2004 in the above-referenced case, and that, consequently, the fees paid for these filings were paid at the small entity rates. The small entity claim was erroneous and therefore the fees paid were deficient.

In order to correct this error, attached is a Fee Transmittal for FY 2005 authorizing payment of the additional fees required.

I hereby declare that the error was clerical, that there was no intent to deceive or otherwise defraud the United States Patent and Trademark Office, that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful

Application No.: 09/889,287

Docket No.: 21381-00067-US

false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

If anything further is required in order to correct the error which occurred, or if there are any questions, please do not hesitate to contact me.

Dated: October 25, 2004

Respectfully submitted,

By 
Burton A. Amernick

Registration No.: 24,852
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Attorney for Applicant

PTO/SB/17 (10-04v2)

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FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 225.00)

Complete If Known

Application Number	09/889,287-Conf. #2444
Filing Date	July 16, 2001
First Named Inventor	John A. Montgomery
Examiner Name	D. Khare
Art Unit	1623
Attorney Docket No.	21381-00067-US

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order Other None

 Deposit it Account:

Deposit Account Number **22-0185**
Deposit Account Name Connolly Bove Lodge & Hutz LLP

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below Credit it any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee (\$)
1051 130	2051 65	Burcharge - late filing fee or oath	
1052 50	2052 25	Burcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,620	1812 2,620	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	55.00
1252 430	2252 215	Extension for reply within second month	
1253 980	2253 490	Extension for reply within third month	
1264 1,630	2254 765	Extension for reply within fourth month	
1255 2,080	2255 1,040	Extension for reply within fifth month	
1401 340	2401 170	Notice of Appeal	170.00
1402 340	2402 170	Filing a brief in support of an appeal	
1403 300	2403 150	Request for oral hearing	
1461 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1463 1,370	2453 685	Petition to revive - unintentional	
1501 1,370	2501 685	Utility issue fee (or reissue)	
1502 490	2502 245	Design issue fee	
1503 680	2503 330	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
6021 40	6021 40	Recording each patent assignment per property (times number of properties)	
1809 780	2809 395	Filing a submission after final rejection (37 CFR 1.128(a))	
1810 780	2810 395	For each additional invention to be examined (37 CFR 1.129(b))	
1801 780	2801 395	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify)			

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 225.00)

**or number previously paid, if greater; For Reissues, see above

SUBMITTED BY

Name (Print/Type)	Burton A. Amerman	Registration No. (Attorney/Agent)	24,852	Telephone	(202) 331-7111	
Signature					Date	October 25, 2004